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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,351	04/09/2004	Allen E. Kimble	JRBZ 2 00042	1199

7590 12/19/2005
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EXAMINER

NEWVILLE, TONI E

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,351

Applicant(s)

KIMBLE, ALLEN E.

Examiner

Toni Newville

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/9/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
Page 7 line 1, "aligned apertures 14e" should be "aligned apertures 12e".
Page 10 line 22, "as a well known" should be "as is well known".
Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith, US 5732488.

Regarding claim 1, Smith discloses a male coupler portion comprising (Fig. 1):

A frame (10) comprising: (i) first and second arm pin-on locations adapted for connection to associated first and second arms, respectively; (ii) at least one tilt member pin-on location (55, 56) adapted for connection to an associated tilt member; (iii) first and second coupler halves each comprising:

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- A first hook-engaging mount (23, 24);
- A first rib locking location (area between 12 and 13, and area between 14 and 15) aligned with said first hook-engaging mount;
- A second hook-engaging mount (17);
- A second rib locking location (area between 11 and 12, and area between 15 and 16) aligned with said second hook-engaging mount; and,
- A plunger pin (23, 24) slidably connected to the frame (10) and movable between an extended position and a retracted position, said plunger pin, when extended, adapted to engage and retain an associated female coupler portion rib ear located in one of said first and second rib locking locations (column 1 lines 56-59).

Regarding claim 2, each of the halves of said coupler frame (10) as described above regarding claim 1 further comprises a plurality of spaced-apart ribs (11, 12, 13, 14, 15, 16), and wherein:

- Said first rib locking location (area between 12 and 13, and area between 14 and 15) comprises a first lock channel located between two of said ribs (Fig. 1); and,
- Said second rib locking location (area between 11 and 12, and area between 15 and 16) comprises a second lock channel located between two of said ribs (Fig. 1).

Regarding claim 3, the male coupler portion as described above regarding claim 2 further comprises said first lock channel being defined between first (13) and second (12) ribs, and said second lock channel is defined between said second rib (12) and a third rib (11).

Regarding claim 4, said first, second and third ribs (13, 12, 11 and 14, 15, 16) define respective first, second and third lock apertures that are aligned with each other and that accommodate sliding movement of said plunger pin (23, 24) between said extended and retracted positions (Fig. 3).

Regarding claim 5, for each of said first and second coupler halves, said first hook-engaging mount (23, 24) is located between said first and second ribs (13, 12 and 14, 15), and said second hook-engaging mount (17) is located between said second and third ribs (12, 11 and 15, 16).

Regarding claim 8, the male coupler portion as described in claim 1 above further comprises:

- A first hydraulic actuator (21) operatively connected to said plunger pin (23) of said first coupler half for moving said plunger pin of said first coupler half between said extended and retracted positions; and,
- A second hydraulic actuator (22) operatively connected to said plunger pin (24) of said second coupler half for moving said plunger pin of said second

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coupler half between said extended and retracted positions (column 1 lines 56-59).

Regarding claim 9, the male coupler portion as described in claim 4 further comprises said first, second, and third lock apertures and said plunger pin being cylindrical (Fig. 1).

Regarding claim 10, Smith discloses a male coupler portion comprising:

- A first pair of mounts (23, 24) adapted for respective engagement with a first pair of ribs of a first associated female coupler portion configuration;
- A second pair of mounts (17) adapted for respective engagement with a second pair of ribs of a second associated female coupler portion configuration;
- First and second rib locking pins that each move between a retracted position and an extended position (column 1 lines 56-59).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, US 5732488, in view of Lovitt, US 5310275.

Smith discloses a male coupler portion as described with respect to claim 1 above, including first and second coupler halves. Smith fails to disclose a face plate that extends between said first and second coupler halves.

Like Smith, Lovitt discloses a male coupler portion (Fig. 3) having a frame (200), the frame (200) comprising first and second coupler halves, the first and second coupler halves having first (1020, 978) and second (700, 710) rib locking locations (1020, 978). Unlike Smith, Lovitt further discloses the frame (200) further comprising a face plate (300, 400, 500, 900, 910) extending between the first and second coupler halves (claim 6). The face plate comprises, on each of said first and second coupler halves, first (700, 710) and second (1020, 978) openings that communicate with said first and second rib locking locations (claim 7).

Given the suggestion in Lovitt, it would have been obvious to one of ordinary skill in the art to include a face plate extending between the first and second coupler halves and having openings in communication with the rib locking locations of Smith as taught in Lovitt to provide additional mechanical support to the male coupler portion, thereby decreasing the possibility of wear or breakage.

Conclusion

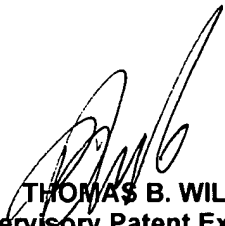
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toni Newville whose telephone number is (571) 272 - 1548. The examiner can normally be reached on Monday - Friday 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on (571) 272-6998. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Toni Newville
December 9, 2005


THOMAS B. WILL
Supervisory Patent Examiner
Group 3600